

RECORD OF PROCEEDINGS  
STATE BOARD OF VETERINARY MEDICINE

**PUBLIC MINUTES**  
**April 12, 2012**

Notice of this meeting was published at [www.dora.state.co.us/veterinarians/publicnotices.htm](http://www.dora.state.co.us/veterinarians/publicnotices.htm) at least 7 days in advance of the meeting date.

**I. CONVENE**

The Open Session of the meeting for the State Board of Veterinary Medicine was convened at One Civic Center Plaza, 1560 Broadway, Conference Room 110 D, Denver, Colorado 80202, at 8:40 a.m. by Richard Leone, DVM, President.

**Board Members Present**

Richard Leone, DVM, President  
Joni Edwards, DVM, Vice-President  
Kim Stone, DVM, Secretary  
Stacy Worthington, Public Member  
Kristin Woestehoff, DVM  
Kenneth Johnson, DVM

**Board Member Not Present**

Susie Frederick, RN, Public Member

**Staff**

Maulid Miskell, Program Director  
Leanne Clasen, Program Manager  
Catherine Shea, Assistant Attorney General  
Melissa Garner, Office of Expedited Settlement  
Kevin Huff, Office of Investigations  
Glenn Frank, Office of Investigations

**II. APPROVAL OF MINUTES**

A motion was made, seconded, and carried to approve as drafted the February 9, 2012 meeting minutes.

A motion was made, seconded, and carried to approve as drafted the March 5, 2012 Special Meeting minutes.

**III. REPORTS**

**• Report from the Program Director, Maulid Miskell**

Mr. Miskell announced the nominations of former Board President Dr. Michael Gotchey as a Director for the American Association of State Veterinary Boards (AASVB) and Board Vice President Dr. Joni Edwards to both the Nominating Committee of the AASVB and as an AASVB Representative to the National Board of Veterinary Medical Examiners (NBVME). He reported that the audit of license renewals was near completion and the results will be reported at the June Board meeting. He stated that staff was working on backlogged Board actions and anticipated they will be current within two weeks. Mr. Miskell announced that the vacant Compliance Monitor position was opened for candidates on Monday, April 9, with applications due by Friday, April 13, and that he expected the position to be filled by the end of the month. He announced that Board Member Stacy Worthington's first term expires in June and that a replacement would be sought as she is not interested in reappointment due to professional obligations. He said that there would be changes to the agenda for the

Special Meeting of the Board on April 13 and that consideration of Board Policies and Rule II.C, on licensure by endorsement, would be considered at a special meeting to be held Friday, June 22, after the regular Board meeting on June 21. He announced that the implementation of peer assistance services in response to the 2011 Sunset bill included establishing a contract for the collection of peer assistance service fees and that contract should be in place by July 1, 2012, in time for the license renewals coming up in August and October of this year. The final step, he added, would be establishing a contractual arrangement with a provider of peer assistance services, effective January 1, 2013. Mr. Miskell had Ms. Shea remind Board members of the confidentiality of animal patient records.

• **Report from the Board President, Richard Leone, DVM**

Dr. Leone explained the meeting process to the public who were in attendance, verified that those present were identified, and that their cases were in order on the agenda. He informed those in attendance that there is to be no discussion or input from the public during deliberations of cases, and reminded the Board Members of the confidential nature of letters of concern.

**IV. CONTINUING EDUCATION**

• **Continuing Education – Kim Stone, DVM, Secretary**

The bi-monthly requests were reviewed in advance by Dr. Stone. A motion was made, seconded, and carried to approve all continuing education requests as submitted with the exception of the requests # 2 and # 3. A motion was then made, seconded, and carried to approve requests # 2 and # 3, with Dr. Woestehoff opposed.

**V. OPEN FORUM**

Ralph Johnson, Executive Director, Colorado Veterinary Medical Association, thanked the Board for considering at its special meeting on April 13 two important issues: veterinary dentistry and indirect supervision. He also thanked the Board members for volunteering to make a presentation at the 2012 CVMA Convention.

**VI. NEW BUSINESS**

• **Board presentation at CSU on April 24**

Drs. Leone, Edwards, and Stone volunteered to follow their 2:00 p.m. presentation on licensure and malpractice to the 2nd year veterinary students with a 3:00 p.m. panel discussion with interested veterinary students on standard of care.

• **CVMA 2012 Convention**

Drs. Edwards and Woestehoff volunteered to participate. Mr. Miskell will follow up with Dr. Johnson, Ms. Frederick, and the public Board member to be appointed after June 1, 2012, to see if they can also participate as presenters on Saturday, October 6, 2012 from 2:00 – 3:00 p.m.

• **2012-2013 NAVLE Administration**

Dr. Woestehoff volunteered to take the exam and report her findings to the Board.

**VII. LICENSING**

• **Memorandum regarding newly licensed Veterinarians. (Consent Item)**

A motion was made, seconded, and carried to approve all newly licensed Veterinarians either by exam or endorsement.

### **Yes Applications**

- **Reinstatement application of Jami Whiting, DVM**

A motion was made, seconded, and carried to approve reinstatement.

- **Reinstatement application of David Burnett, DVM**

A motion was made, seconded, and carried to approve reinstatement and initiate a complaint. After careful consideration of the information provided, a motion was made, seconded, and carried to refer to Executive Session for potential disciplinary action. Upon returning to Open Session, a motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

- **Endorsement application of Michael Factor, DVM**

After careful consideration of the provided information, a motion was made, seconded, and carried to deny licensure by endorsement; basis for this denial set forth in § 12-64-108, C.R.S. and Board Rules II.C and II.B.2.

- **Endorsement application of Evan Dribbon, DVM**

After careful consideration of the provided information, a motion was made, seconded, and carried to deny licensure by endorsement; basis for this denial set forth in § 12-64-108, C.R.S. and Board Rules II.A.3 and II.B.1.b.

- **Original application of Jamie Fiege, DVM**

A motion was made, seconded, and carried to approve licensure.

## **VIII. INITIAL REVIEW**

AGENDA ITEM # 1    Joan Kleczewski, DVM # 3443                      Case #2012-002130

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

AGENDA ITEM # 2    Bradley Middleton, AV # 213                      Case #2012-002411

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

AGENDA ITEM # 3    Jeanne Ficociello, DVM # AV 109                      Case #2012-002412

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

AGENDA ITEM # 4    Teresa Seggerman, DVM # 5497                      Case #2012-003067

After careful consideration of the information provided, a motion was made, seconded, and carried to refer this case to the Office of Investigations for further investigation.

AGENDA ITEM # 5    Lara Allen, DVM # 7017                      Case #2012-003059

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

AGENDA ITEM # 6 Merideth Early, DVM # 9460 Case #2012-003195

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

**IX. TABLED**

AGENDA ITEM # 1 Melinda Story DVM # Case #2012-002173

After careful consideration of the information provided, a motion was made, seconded, and carried to refer to Executive Session for potential disciplinary action.

AGENDA ITEM # 2 Thad Respet DVM # 9160 Case #2012-002149

After careful consideration of the information provided, a motion was made, seconded, and carried to dismiss the case as being without merit.

**X. OFFICE OF INVESTIGATIONS**

AGENDA ITEM #1 William Hampton, unlicensed Case # 2012-000334

A motion was made, seconded and carried to issue an Order to Cease and Desist for the unlicensed practice of veterinary medicine and practicing animal chiropractic without the supervision of a licensed veterinarian or registration.

AGENDA ITEM # 2 Merrilee Laas, DVM # 5789 Case # 2011-005038

After careful consideration of the information provided, a motion was made, seconded, and carried to refer to Executive Session for potential disciplinary action. Upon returning to Open Session, a motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**XI. CASE CONSIDERATIONS**

**• Lambert Pet Supply**

After careful consideration of the information provided, a motion was made, seconded, and carried to send a letter of guidance regarding the illegality of distributing prescription drugs without proper registration.

**• Paul Cuddon, DVM**

After careful consideration of the information provided, a motion was made, seconded, and carried to initiate a complaint. A motion was made, seconded and carried to refer this case to the Office of Investigations for further investigation.

**XII. ENFORCEMENT**

**• Open Stipulations Report April 2012**

Board noted.

**• Peer Assistance Compliance Report**

Board noted.

**• Mark Cochran, DVM**

A motion was made, seconded, and carried to reject the August 31 – September 26, 2011 Practice Monitor Report.

A motion was made, seconded, and carried to reject the September 27 – October 31, 2011 Practice Monitor Report.

• **Lee Bregitzer, DVM**

A motion was made, seconded, and carried to accept the November 2011 Practice Monitor Report.

A motion was made, seconded, and carried to accept the December 2011 Practice Monitor Report.

A motion was made, seconded, and carried to reject the request to terminate the stipulation.

**XIII. ADJOURNMENT FROM OPEN SESSION**

Richard Leone, DVM, Board President, called for a motion on April 12, 2012 at 12:02 p.m., that the State Board of Veterinary Medicine enter into Executive Session for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), including:

- The legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred to executive session, specifically agenda item numbers:
  - Reinstatement application of David Burnett
  - Tabled Agenda item 1, Case #2012-002173, Melinda Story
  - Office of Investigations Agenda item 2, Case #2011-005038, Merrilee Laas
- Settlement, counteroffers and other legal questions pertaining to open cases referred to the Expedited Settlement Program, specifically:
  - Case #2012-000328, Anna Norman
- Counteroffers, settlement issues and other legal questions pertaining to cases with the Attorney General's Office, specifically:
  - Case #2011-003589, Linda Yates

**XIV. ADJOURNMENT FROM EXECUTIVE SESSION**

Executive Session of the meeting for the State Board of Veterinary Medicine adjourned at 12:36 p.m.

**XV. ADJOURNMENT FROM OPEN SESSION**

The final meeting adjournment was at 12:37 p.m. The Board will reconvene on Thursday, April 13, 2012, at One Civic Center Plaza, Conference Room 110 D, Denver, CO 80202, at approximately 9:30 a.m.

**Attestation:**

Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S., as Board President, I attest that the Executive Session of the State Board of Veterinary Medicine meeting held on April 12, 2012, was confined to the topics authorized for discussion pursuant to §§ 24-6-402(3)(a)(II), (III), and (IV), C.R.S.

*Approved by* signed Richard Leone, DVM  
*Board President*

June 21, 2012  
*Date*